

Chippenham Place Textual Statement

Revised August 6, 2007

All property subject to this rezoning (“the Property”) shall be zoned Regional Business (C-4) with a Conditional Use to permit townhouse and multi-family uses in accordance with the requirements specified herein, and with Conditional Use Planned Development to permit use and bulk exceptions as specified herein.

I. Specification of Areas within the Property

The Property is shown on the Zoning Plan prepared by Land Design dated July 5, 2007 (“Zoning Plan”), which delineates the general location of the Commercial Mixed Use Area and the Residential Mixed Use Area referred to in this Textual Statement. The boundary between these two Areas may be adjusted, provided that only townhouse or single-family uses shall be permitted in the southeast corner of the Property, within one hundred (100) feet of Tax IDs 7657054933, 7657056518, and 7657054309.

II. Permitted Uses

- A. Within the Commercial Mixed Use Area, the following uses shall be permitted, subject to the requirements stated in this Textual Statement:
 - 1) Uses permitted in the Regional Business (C-4) District;
 - 2) Multi-family;
 - 3) Townhouses; and
 - 4) Multi-family uses located on upper stories above uses permitted in the C-4 District.
- B. Within the Residential Mixed Use Area, the following uses shall be permitted, subject to the requirements stated in this Textual Statement:
 - 1) Townhouses and other uses permitted by right or with restrictions in the R-TH Residential Townhouse District; and
 - 2) Single-family detached dwellings.

III. Required Conditions

- A. Conditions Applicable to Entire Property
 - 1) Master Plan. The Zoning Plan and this Textual Statement shall be considered the Master Plan.
 - 2) Mixing of Uses. A conceptual plan addressing land use compatibility and transition within the property and with adjacent

properties will be submitted for review and approval. Consideration of land use compatibility and transition may include, but not be limited to, the exact location of uses, site design, and appropriate use transitions. The conceptual plan shall be reviewed and approved by the Planning Commission or the Planning Department, at the election of the developer, and such review shall be subject to appeal in accordance with the provisions of the zoning ordinance for site plan approval.

- 3) Residential Unit Maximum The total number of residential dwelling units on the property shall not exceed 750 dwelling units.

- 4) Phasing. A minimum of 300,000 gross square feet of commercial or office uses shall be planned for development within the Property as submitted and approved on the required Conceptual Plan. Such development may be phased, provided that, prior to issuance of a building permit for any residential unit except one located on an upper story of a building in which the ground floor will be a commercial or office use, building permits shall have been issued for a minimum of 160,000 gross square feet of commercial or office uses within the Property.

After eighteen months from the issuance of the first building permit for commercial or office use, the developer's obligation to develop a minimum of 300,000 gross square feet of commercial or office use shall be reduced to 200,000 square feet of commercial or office use.

- 5) Maximum Density. The maximum permissible density shall be 450,000 square feet of shopping center, 150,000 square feet of general office, 350 non-condominium multi-family units, 200 condominium units, 100 townhouses, and 60 single-family dwellings, or equivalent traffic generation as determined by the Transportation Department. At the election of the developer, higher densities may be approved by the Planning Commission if the other requirements of zoning are met.

- 6) Building Height. The maximum building height shall be twelve (12) stories.

- 7) Public Water and Wastewater. The public water and wastewater systems shall be used.

- 8) Public Streets. All roads that accommodate general traffic circulation through the development, as determined by the Transportation Department, shall be designed and constructed to VDOT standards and taken into the State System. Such roads shall be considered special access streets. Except as otherwise specified herein, setbacks from such streets may be reduced or eliminated in accordance with § 19-505(b) of the Zoning Ordinance
- 9) Vehicular Access. Direct vehicular access from the Property to Midlothian Turnpike shall be limited to the three (3) existing access locations, and direct vehicular access from the property to Cloverleaf Drive shall be limited to the one (1) existing access location.

Development of the Property shall include the potential for vehicular access from the Property to the west, south, and east, as shown conceptually on the Zoning Plan. The exact location and number of such future accesses shall be approved by the Transportation Department. Any modifications of these accesses shall be approved by the Transportation Department.

- 10) Parking. If residential units have garages, one parking space within garages shall be counted toward the minimum parking requirements
- 11) Sidewalks, Street Trees and Decorative Lights. Sidewalks, street trees and decorative lights with spacing appropriate for the adjacent use according to accepted industry standards shall be provided along both sides of those portions of internal public streets that have uses fronting the street and where necessary to provide pedestrian connections among the various uses within the Property.
- 12) Landscaping and Sidewalks Along Midlothian Turnpike. Along Midlothian Turnpike, sidewalks and landscaping in accordance with the requirements for Landscaping H under the Zoning Ordinance shall be provided, except that an alternative landscaping and sidewalk plan may be used if requested by the Developer and approved by the Planning Department provided such alternative meets the spirit and intent of Landscape Standard H.
- 13) Recreation Areas. Area(s) conveniently accessible to and included within the development totaling not less than 40,000 square feet shall be provided for suitable recreational use by the various uses within the Property. These areas shall include: (a) a minimum of

15,000 square feet within the commercial and office portion of the development, which shall be designed to provide open green space and for outdoor public activity, with uses located around the perimeter of such open area and oriented to face toward such area in a visible central place to serve as a focal point for the entire development; and (b) recreation area(s) with a minimum of 0.50 acres within the residentially developed portions of the Property. Part of such residential recreation area shall have benches or other amenities that accommodate and facilitate gatherings.

- 14) On Street Parking Designated on street parking is to be counted towards the parking space requirement of nearby uses.
- 15) Residential Multi-Family and Townhouse Security. The owner or its successor shall meet the Crime Prevention through Environmental Design (CPTED) standards, whenever practicable, in the design of a multi-family or townhouse project as approved by the Chesterfield County Police Department.

If the project experiences Group A crime incidents above the County average for a year or longer, then the owner or successor shall submit a security plan to the Chesterfield County Police Department for review and approval.

- 16) Drainage The developer will re-direct as much stormwater runoff as practicable from the existing impervious area that drains to the south.
- 17) Timbering With the exception of timbering that has been approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed.
- 18) Architectural Conditions for Commercial, Office, and Mixed Use Buildings

Buildings shall be constructed of modern materials with design elements consistent with the Colonial Revival Style of the late nineteenth and early twentieth centuries

Building materials are to consist of masonry (brick, stone, or split faced block), cementitious siding (hardi siding), EFIS, precast stone, or similar materials

Architectural trim materials shall be constructed of architecturally complimentary materials

Painted block may be used on facades in service areas that are not visible from areas generally accessible to the public.

B. Conditions for Single-Family Detached Units

Shall meet the requirements of the R-9 Zoning District except as follows:

- 1) *Lot area and width.* Each lot shall have an area of not less than 5,000 square feet and a lot width of not less than 40 feet.
- 2) *Percentage of lot coverage.* No maximum
- 3) *Front yard.* Minimum of 5 feet in depth. Minimum setbacks shall be increased where necessary to obtain the required lot width at the front building line.
- 4) *Side yard.* Two side yards, each with a minimum of 5 feet in width.
- 5) *Corner side yard.* Minimum of 10 feet.
- 6) *Rear yard.* Minimum of 20 feet in depth.
- 7) *Setbacks for Accessory Structures*
Side: 5 feet minimum
Corner Side: 10 feet minimum
Rear: 2 feet minimum
- 8) A minimum of 20% of lots shall be designated for homes of 2200 gross square feet or larger if a cumulative total of more than 30 lots are recorded within the entire project property for single family detached units.
- 9) Front loading garages shall be located no closer to the street than the front façade of the dwelling unit.

C. Conditions for Townhouse Units

- 1) Lot area and width. Each lot shall have an area not less than 1800 square feet and a lot width of not less than 18 feet.
- 2) Percentage of lot coverage. No maximum. No accessory building on any lot except for a private garage shall cover more than 225 square feet.
- 3) Front yard. Minimum of 5 feet in depth. Minimum setbacks shall be increased where necessary to obtain the required lot width at the front building line.
- 4) Side yard. A side yard of not less than 2.5 feet in width shall be provided for each end residence in townhouse groups.
- 5) Corner side yard. Minimum of 10 feet.
- 6) Rear yard. Minimum of 10 feet in depth.
- 7) Driveways and parking areas. All roads and parking areas shall have concrete curbs and gutters.
- 8) Group or row design. The total number of lots within each attached group or row of townhouses shall be varied, but in no case exceed fifteen (15), and shall be designed and sited as outlined herein.
- 9) Setbacks for Accessory Structures
 - (a) Front: greater than principal structure
 - (b) Side: 2 feet minimum
 - (c) Corner Side: 10 feet
 - (d) Rear: 2 feet
- 10) Common Areas Between Buildings

A minimum common area of ten feet in width shall be provided for each exposed side, front, and rear of all lots of a block, except the side, front, and rear of any lot or lots fronting or abutting a public street
- 11) Front loading garages shall be located no more than 2 feet closer to the street than the front façade of the dwelling unit.

- 12) A minimum of 20% of the lots shall be designated for townhomes of 1700 gross square feet or larger if a cumulative total of more than 30 lots are recorded within the entire project property for townhouse units.

D. Conditions for Residential Condominium Units

- 1) Condominium Requirements. All such units must comply with the requirements of the Virginia Condominium Act.
- 2) Integration of Uses. Any residential condominium units shall be integrated with commercial and office uses by locating the units adjacent to a commercial or office use. Vertical integration of commercial, office, and residential units shall be permitted.
- 3) Parking. The minimum number of off-street parking spaces shall be 1.5 spaces per dwelling.

E. Conditions for Non – Condominium, Multi-Family Units

- 1) Integration of Uses. Any non-condominium, multi-family units shall be integrated with commercial and office uses by locating the multi-family use adjacent to a commercial or office use. Vertical integration of commercial, office, and residential units shall be permitted.
- 2) Number of Non-Condominium, Multi-family Units. The maximum number of non-condominium, multi-family units located on the Property shall be 350; provided that such total shall not include those units that comply with the Virginia Condominium Act, those located on the upper story of a building in which the ground floor is a permitted C-4 use, or those permitted as “housing for older persons” in which residents under the age of 19 are not permitted.
- 3) Setbacks. Buildings shall be setback a minimum of five (5) feet from rights of way.
- 4) Building Separation. Buildings shall be separated by a minimum distance of fifteen (15) feet.
- 5) Parking. The minimum number of off-street parking spaces shall be 1.5 spaces per dwelling.

F. Restrictive Covenants

Prior to the approval of the site plan for the condominium and non-condominium multi-family residential project or the recordation of the initial subdivision plat for the townhouse project, restrictive covenants shall be recorded that provide for the following:

- 1) An architectural review committee (ARC), that, until such time as the multi-family and townhouse projects are completed, shall include one member appointed by the Chesterfield County Board of Supervisors and one member of the Chesterfield County Revitalization Office. The remaining members of the ARC shall consist of developer representatives and property owners.
- 2) The restrictive covenants shall be filed and copy sent to the Chesterfield County Planning Department to include the Architectural Guidelines listed in Exhibit A. The Architectural Guidelines shall not be changed except by a unanimous decision of the ARC.

Exhibit A Architectural Guidelines for Multi-Family and Townhouse Projects

These guidelines apply to condominium and non-condominium multi-family and townhouse projects that are not vertically mixed in a building with commercial, office, or other nonresidential uses.

Building Design Style: Buildings shall be constructed of modern materials with design elements consistent with the Colonial Revival Style of the late nineteenth and early twentieth centuries. Design is to be consistent with the following principles:

- A. An orderly, symmetrical relationship between the windows, doors, and building mass, and
- B. Building design style shall be similar to the style illustrated on the attached drawings.

Building Materials: Masonry (brick or stone or similar materials), cementitious siding (hardi siding), EFIS, and precast stone; trim or accent elements can be constructed of materials architecturally complimentary to the primary building materials.

Building Arrangement: Buildings are to front on streets as much as practicable in an urbanist style. Streetscape improvements (including street trees and pedestrian scale decorative lights) shall be continued along buildings that front parking lots. Open space, as provided for in the Required Zoning Conditions, shall be located in a visible central place to serve as a focal point for the residential neighborhood,

Architectural Features:

- I. The side elevation of building units shall have architectural details and exterior finish materials consistent with the front elevation,
- II. Windows shall be constructed of wood, vinyl, or polymer. Window constructed of wood may be clad in vinyl or PVC,
- III. Clear glass shall be used in all windows and doors. Stained, frosted and tinted glass is not permitted.
- IV. Doors shall typically have six raised panels and may incorporate sidelights and transoms,
- V. Roof penetrations (vents, flues, attic ventilators, etc.) shall be painted to match the color of the roof. Penetrations shall be placed on the rear of the primary ridge when possible,
- VI. Front porches/balconies and street porches/balconies shall be open. Screened or enclosed porches are not permitted. Minimum porch/balcony depth shall be six feet. Urban style metal balconies (juliettes) shall be permitted.

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